IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11406 of 2005

Between:

Gandam Venkata Ramanarao, S/o. Anjaneyulu,
R/o. Yenamadurru, Bhimavaram, West Godavari District.

..... PETITIONER

AND

1 Joint Collector, West Godavari District at Eluru
2 Revenue Divisional Officer, Narasapuram, West Godavari District.
3 Mandal Revenue Officer, Bhimavaram (M), West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the order of the 1st respondent in Roc CS1/38/Appeal/2005, Dt. 15-4-2005 as illegal, irregular and violative of Articles 14 and 21 of the constitution of India and AP Schedule Commodities (Regulation of Distribution by Card System) Order 2001, set aside the same, allow the appeal and consequently suspend the operation of order passed by 2nd respondent in Roc NO. 185/2005(E), Dt. 16-3-2005 pending disposal of the enquiry before the 1st respondent in the interests of justice.

Counsel for the Petitioner: MR.SATYANARAYANA NIMMAGADDA

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the order, dated 15.4.2005 in Roc.No.CSI/38/Appeal/2005 passed by the 1st respondent as illegal, irregular and violative of Articles 14 and 21 of the Constitution of India and A.P. Schedule Commodities (Regulation of Distribution by Card System) Order, 2001and set aside the same.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies and perused the material on record.

An appropriate decision has to be taken by the 1st respondent-Joint Collector in accordance with law on the appeal filed by the petitioner. The petitioner cannot be permitted to prosecute two parallel remedies in respect of the same lis.

Therefore, without expressing any opinion on the merits of the case, I

consider it appropriate to direct the 1st respondent to pass appropriate orders on the appeal pending before him in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

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(K.C. BHANU, J.)

17th May, 2005

bcj

To

1 Joint Collector, West Godavari District at Eluru
2 Revenue Divisional Officer, Narasapuram, West Godavari District.
3 Mandal Revenue Officer, Bhimavaram (M), West Godavari District.

4 Two C.Cs. to the Government Pleader for Civil Supplies, High Court of Buildings, Hyderabad (OUT)

5 2 CD copies

6 1 CC to MR.SATYANARAYANA NIMMAGADDA